

REMARKS

Reconsideration is requested.

Claims 1 and 2 have been canceled, without prejudice.

Claims 3-6 are pending. Support for the above amendments can be found, for example, on page 7 of the specification. No new matter has been added.

The Section 102 rejection of claims 1-3, 5 and 6 over Yokogawa (JP 10017435), is traversed. The Section 102 rejection of claims 1-4 and 6 over Yamabe (JP 09315986), is traversed. Reconsideration and withdrawal of the rejections are requested in view of the following distinguishing comments.

The applicants submit that the objective of the present invention is to provide a cosmetic composition for improving skin wrinkles by effectively controlling elastase activity and collagen synthesis as important factors relating to skin aging due to the increase of active oxygen.

The applicants understand the objective of cited Yokogawa reference to be providing a natural antioxidant in place of the existing conventional synthetic antioxidants, such as dibutyl hydroxy toluene (BHT) and butyl hydroxy anisol (BRA), which are known to have stability problems. The applicants understand Yokogawa to describe experimental results relating to the ability of antioxidants by means of scavenging activity of hydroxy radicals as shown in experimental example 1, which the applicants believe to be different from the presently claimed invention.

The applicants submit that the present invention utilizes an antioxidant for antioxidative effect as a separate adjuvant. Specifically, Formulations 1-4 of the

specification describe the inclusion of antioxidants, such as tocopherol acetate, as an additional component.

The *Mallotus japonicus* extract of the presently claimed invention is an active ingredient, whereas the applicants believe Yokogawa does not include a *Mallotus japonicus* extract as an active ingredient.

As for the teaching of Yamabe, the applicants understand the disclosure to be directed to an anti-inflammatory agent for use as an effective ingredient for drugs and cosmetics containing an effective ingredient to provide an anti-inflammatory effect through inhibiting edema, which are free from side effects, ensure safety and are useful for rough skin.

The applicants believe that Yamabe only describes an anti-inflammatory effect through inhibiting edema by use of male Wistar rats and does not disclose nor suggest the presently claimed invention.

The applicants believe the claims are patentable over the cited art and request withdrawal of the Section 102 rejections.

The applicants believe the claims are in condition for allowance and a Notice to that effect is requested.

LEE et al.
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Amendment

Respectfully submitted,

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